

Applicant	Jack and Jill Children's Center, Inc.	
Request	Rezone from RMM-25 (Residential Mid Rise Multifamily/Medium High Density District) to X-P (Exclusive Use Parking Lot) with Site Plan Approval	
Location	East side of N.W. 14 Ave. between W. Broward Blvd. and N.W. 1 Street As shown on the attached location map.	
Legal Description	Seminole Forest, P.B. 14, P.16 Rezoning: Block 1, Lots 27-31 Site Plan: Block 1, Lots 10-31	
Property Size	<ul style="list-style-type: none"> • 1.76 acres, more or less (entire area encompassed by site plan) • .69 acres proposed rezoning (RMM-25 to X-P) – Lots 27-31 • .85 acres CF (Community Facility) Existing Day Care Center – Lots 16-26 • .22 acres B-1 (Boulevard Business) Existing supermarket and vacant retail building - Lots 10-15 	
Zoning	CF, B-1 and RMM-25 (proposed X-P)	
Existing Land Use	Jack and Jill Day Care Center, supermarket and vacant retail building. Two (2) residential structures to be demolished.	
Future Land Use Designation	Northwest Regional Activity Center	
Comprehensive Plan Consistency	Consistent	
Other Required Approvals	City Commission	
Applicable ULDR Sections	47-24.4, Rezoning 47-9, Exclusive Use 47-25.2, Adequacy Requirements 47-25.3, Neighborhood Compatibility Requirements	
Setbacks/Yards	Required	Proposed
	N/A No new structure-Parking Lot	N/A
Lot Density	N/A	N/A
Lot Size	None	.69 ac./ Parking lot
Lot Width	None	250'
Building Height	N/A	N/A
Structure Length	N/A	N/A
Floor Area	N/A	N/A
VUA Landscaping	20%	37%

Notification Requirements	<ul style="list-style-type: none"> • Sign Notice • Mail notice to property owners within 300' 	
Action Required	<ul style="list-style-type: none"> • Recommend approval of the rezoning to city Commission • Deny the application and an appeal to the City Commission may be filed by the applicant in accordance with Sec. 47-26B, Appeals. 	
Project Planner	Name and Title	Initials
	Lois Udvardy, Planner II	
	Chris Barton, AICP, RLA, Principal Planner	
	Bruce Chatterton, AICP, Planning and Zoning Manager	
Authorized By		
Approved By		

Request:

The applicant is requesting to rezone five (5) lots from RMM-25 to X-P to construct a parking lot which will serve the new Jack and Jill Day Care and two (2) existing businesses that front on W. Broward Blvd. Pursuant to Sec. 47-9, Exclusive Use District, a rezoning to X-P requires a site plan to be reviewed in connection with the rezoning.

Property/Project Description:

A portion of this site was rezoned to CF (Community Facility) in January of 2001 to accommodate construction of the Jack and Jill Day Care Center. At that time a remote lot at the corner of N.W. 14 Ave. and N.W. 2 Street was included as part of the rezoning and site plan to provide the necessary parking. Since that time, the applicant has been able to purchase additional property abutting the Day Care Center and is requesting the rezoning of five (5) lots zoned residential RMM-25 to X-P to permit them to relocate the remote parking to an area better suited for the parking. A portion of the recently purchased property (Lots 10-15 on Broward Blvd.) are already zoned B-1. These lots contain an existing supermarket and a vacant retail building. Lots 27-30 (Phase I) will provide parking for the Day Care Center as well as the required parking for the existing commercial uses. Lot 31 (Phase II) will be used for parking for an existing dental office on Lots 5, 6, 32 and 32. Fencing is provided to separate the commercial parking from the Day Care Center parking.

This proposal was reviewed at the May 13, 2003 DRC meeting and all issues have been responded to.

A narrative submitted by the applicant explaining the request in further detail is attached as **Exhibit 1.**

Rezoning Criteria:

The rezoning satisfies the criteria of Sec. 47-24.4. (Rezoning) as follows:

1. *The zoning district proposed is consistent with the City's Comprehensive Plan.* The Northwest Regional Activity Center land use designation was established to encourage flexible redevelopment activities. The intent of the Exclusive Use zoning district is to protect the character of existing residential neighborhoods adjacent to commercial uses in a manner compatible with the area. The Exclusive use district is also intended to act as a buffer between existing residential and commercial uses. The proposed parking lot will serve a community facility, Jack and Jill Day Care Center, which provides for the child care needs for families in the surrounding area. Community facilities are a permitted use in the Northwest RAC.
2. *Substantial changes in the character of development in or near the area under consideration supports the rezoning.* This property is within the Community Redevelopment Area (CRA) boundary. Efforts are being made to redevelop the area by the Community Redevelopment Department. An example of redevelopment is the Dorsey Riverbend Redevelopment and Infill project which will provide quality housing in the area. The Day Care facility will help serve the needs of the existing and proposed residential development.
3. *The character of the proposed area is suitable for the uses permitted in the proposed zoning district and is compatible with surrounding districts and uses.* The Exclusive Use zoning district is intended to act as a buffer between commercial and residential uses. The site plan associated with this proposed rezoning ties the parking lot use to the rezoning therefore no additional business uses are permitted. Appropriate lighting, landscaping and sidewalks have been provided.

The applicant's response to the rezoning criteria is attached as **Exhibit 2**.

Exclusive Use Performance Standards:

The applicant has submitted a narrative (**Exhibit 3**) which outlines compliance with the Sec. 47-19.21.B., Exclusive Use Performance Standards for Parking Lots. Staff concurs these performance standards have been complied with.

Adequacy Requirements:

The applicant has submitted a narrative (**Exhibit 4**) in response to the provisions of Sec. 47-25.2, Adequacy Requirements. Staff concurs that the applicant has complied with these requirements.

Neighborhood Compatibility:

The applicant has submitted a narrative (**Exhibit 5**) in response to the provisions of Sec. 47-25.3, Neighborhood Compatibility Requirements. Staff concurs that the applicant has complied with these requirements.

Comprehensive Plan Consistency:

The rezoning is consistent with the following policies:

- Policy 15.1: Where appropriate, create necessary buffering to protect established neighborhoods from the encroachment of commercial uses.
- Policy 19.5: Limited intensity of commercial development adjacent to residential neighborhoods through ULDR controls including height and floor area ratio limitations and buffering requirements.
- Policy 20.6: Continue to utilize intensity criteria contained in the Future Land Use Element to ensure that commercial development is compatible with adjacent residential land uses.

Planning & Zoning Board Review Options

1. If the Planning and Zoning Board determines that the application meets the criteria for rezoning to Exclusive Use (X-P), the recommendation shall be forwarded to the City Commission for consideration.
2. If the Planning and Zoning Board determines that the criteria for rezoning to Exclusive Use (X-P) has not been met, the Board shall deny the application and procedures for appeal to the City Commission as provided in Sec. 47-26B. Appeals, shall apply.

Acting as the Local Planning Agency, the Board's motion should include a finding of compliance with the City's Comprehensive Plan and criteria for rezoning.

7-ZR-03/8-4-03/lau

Attachments

City of Fort Lauderdale
Building Services Division Construction Debris Mitigation Policy

Section 24-11 Construction Sites, of the City of Fort Lauderdale Code of Ordinances is for the purpose of controlling construction debris. In accordance with the Code, any property under construction is required to contain construction debris on the subject property site. In an effort to ensure that construction debris does not spillover onto adjacent sites, the Building Services Division will require the following mitigation measures as minimum conditions to prevent the spillover of construction debris onto adjacent properties. These measures are to be included in a Construction Debris Mitigation Plan, which will be submitted to the Building Official, prior to the issuance of a building permit for the subject project. Additional measures may be required to ensure compliance with the Code, as deemed necessary by the Building Official.

1. Extermination of the site and buildings prior to demolition. A certificate certifying that the site has been exterminated is required to obtain a demolition permit.
2. Wet demolition of existing buildings is required to minimize dust.
3. Install and maintain a 6' screening (wind blown) on all ground level perimeter site fencing to minimize dust and debris blowing out to surrounding buildings.
4. Adherence to all state and county regulations with regards to the handling of asbestos in existing buildings.
5. Provide for construction employee parking and construction staging areas, to be reviewed and approved by the City's Engineering Department, and as necessary the City's Zoning and Parking Divisions.
6. The Building Division will require measures to minimize the airborne concrete when pouring. Such measures may include, but are not limited to, use of a wet saw when cutting concrete, wind screens around saws on concrete work deck; wind screens on end of concrete pump hose, etc.
7. The Building Division will require measures to minimize airborne debris from all open floors, including but not limited to, a requirement that each floor undergoing construction activity be wrapped to control the spillover of concrete and dust onto adjacent properties.
8. Sweeping compound will be required to minimize dust when sweeping the open floors of the building.
9. Broom cleaning of adjacent streets and sidewalks is required on a daily basis.
10. A hot line telephone number for the subject property is required to address issues as they arise.
11. On site visits by City Building Inspectors and other building officials will occur, as needed, to ensure that the concerns of adjacent property owners regarding construction debris and noise are being properly and timely addressed. The costs incurred for such inspections will be borne by the applicant